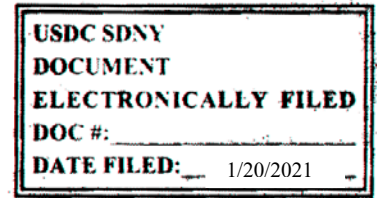


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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RAFIC SAADEH,

Plaintiff,

20-CV-1945 (PAE)(SN)

-against-

ORDER

MICHAEL KAGAN, et al.,

Defendants.
-----X

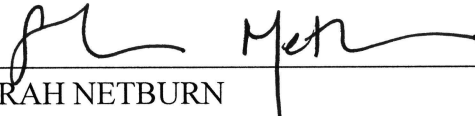
SARAH NETBURN, United States Magistrate Judge:

On January 15, 2021, Defendant Michael Kagan, in his individual capacity, filed a letter with the Court alleging Plaintiff's forthcoming amended complaint will contain Confidential Discovery Material and accordingly requested that the Court require Plaintiff to file his amended complaint under seal. Plaintiff responded on January 18, 2021, with a proposed solution which the Court now adopts, with some modification.

Plaintiff shall provide all parties with a copy of his amended complaint on January 21, 2021. The parties shall then meet and confer to address the nature of the information in the amended complaint. The parties are, however, reminded that a complaint is a judicial document subject to the presumption of public access. See Bernstein v. Bernstein Litowitz Berger & Grossmann LLP, 814 F.3d 132, 140–41 (2d Cir. 2016). In order to file a complaint under seal, the Court is required to “make specific, rigorous findings before sealing the document or otherwise denying public access.” Id. at 141 (quoting Newsday LLC v. County of Nassau, 730 F.3d 156, 167 n.15 (2d Cir. 2013)). The fact that certain information was produced in discovery as confidential is not alone a basis for filing a complaint under seal.

By January 29, 2021, Defendant Michael Kagan shall either file a motion to have the amended complaint filed under seal or, if there is no dispute, Plaintiff may file the amended complaint without redaction.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

DATED: January 20, 2021
New York, New York